

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GINGER HOLT, M.D.,)	
)	
Plaintiff,)	Case No. 3:23-cv-00179
)	
v.)	
)	
VANDERBILT UNIVERSITY and)	District Judge Crenshaw, Jr.
VANDERBILT UNIVERSITY)	Magistrate Judge Frensley
MEDICAL CENTER,)	
)	
Defendants.)	
)	

**DEFENDANT VANDERBILT UNIVERSITY'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT PURSUANT TO RULE 12(b)(6)**

Defendant, Vanderbilt University (hereinafter “VU”) hereby submits the following Motion to Dismiss brought pursuant to Federal Rule of Civil Procedure 12(b)(6). VU’s Motion to Dismiss is based on the following:

1. Plaintiff’s Complaint does not contain any specific factual allegations against Defendant VU and, as a direct result, fails to satisfy the pleading standard described in *Twombly* and *Iqbal* and as set forth in Federal Rule of Civil Procedure 12(b)(6).
2. Plaintiff’s employment-based claims against VU fail as Plaintiff is not an employee of VU.

Accordingly, VU respectfully requests that the Court dismiss this action pursuant to Federal Rule of Civil Procedure 12(b)(6). VU incorporates, by reference, the Memorandum in Support of this Motion filed contemporaneously herewith.

Respectfully submitted,

/s/ William S. Rutchow

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2023, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt and below.

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/s/ William S. Rutchow

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